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6 IN THE UNITED STATES DISTRICT COURT
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 WENDY JOHANNSON,

No. C 11-02822 WHA

11 Plaintiff,

12 v.

ORDER TO SHOW CAUSE

13 WACHOVIA MORTGAGE, FSB,
14 formerly known as World Savings Bank
15 FSB, DEREK WAYNE PHILIPS, doing
16 business as DKP MORTGAGE, and
17 JOSEPH STEVEN CANTER,

18 Defendants.
19 _____/

20 By separate order filed concurrently herewith, summary judgment was granted in favor of
21 defendant Wachovia Mortgage, FSB, leaving the question whether this case will still proceed
22 against any other defendants. With respect to defendant Joseph Steven Canter, it appears this
23 defendant was never served. Plaintiff is **ORDERED TO SHOW CAUSE** why the case should not be
24 dismissed as to him for failure to timely serve. *See* F.R.C.P. 4(m). With respect to defendant
25 Derek Wayne Philips it appears he was served (but that is not clear). It does not appear
26 defendant Philips filed an answer to the second amended complaint, the operative complaint.
27 All parties are **ORDERED TO SHOW CAUSE** why default should not be entered against defendant
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Philips. The parties will be heard on these matter at **2:00 PM ON MAY 14, 2012**, during the final pretrial conference. Written submission thereon are due **BY NOON ON MAY 11**.

IT IS SO ORDERED.

Dated: May 4, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE